

REMARKS/ARGUMENTS

Prior to this Amendment, the application included claims 1-42. Claims 3, 4, 9, 10, 13-17, 19-21, 31, 34, 35 and 42 have been amended. No claims have been canceled or added. Hence, after entry of this Amendment, claims 1-42 stand pending for examination.

Claims 3, 9, 10, 14, 16, 18, 19, 31, 34 and 42 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by the cited portions of U.S. Patent No. 6,237,011 to Ferguson et al. ("Ferguson").

Claims 1-7, 9-13, 15, 17-27, 29, 30 and 35-42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent No. 7,131,069 to Rush et al. ("Rush").

Claims 8 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rush in view of the cited portions of U.S. Patent Publication No. 2005/0187863 to Whinery et al. ("Whinery").

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Rush as applied to claim 13, and further in view of the cited portions of U.S. Patent Publication No. 2002/0052755 to Whatley et al. ("Whatley").

Claims 28 and 31-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rush as applied to claim 1, and further in view of the cited portions of U.S. Patent Publication No. 2004/0267595 to Woodings et al. ("Woodings").

Rejections Under 35 U.S.C. § 112, Second Paragraph

The Applicants have attempted to address all of the 35 U.S.C. § 112 objections and rejections and respectfully traverse and/or request clarification if objections and/or rejections

remain. In particular, the Applicants are unable to identify a grammatical error in, for example, claims 13-21. Hence, no amendments have been made relating to these claim objections.

Rejections Under 35 U.S.C. § 102(b)

The Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. § 102(b) because Ferguson does not teach all of the claim elements, either expressly or inherently, as required for a proper rejection under 35 U.S.C. § 102(b). Specifically, Ferguson does not teach displaying documents for a title examination. Moreover, Ferguson does not teach “receiving a plurality of records . . . having . . . attributes associated with a document recorded with a government entity” (emphasis added). Hence, claim 1 is believed to be allowable, at least for this reason.

Rejections Under 35 U.S.C. § 102(e)

The Applicants respectfully traverse the rejection of all claims under 35 U.S.C. § 102(e) because Rush does not teach all of the claim elements, either expressly or inherently, as required for a proper rejection under 35 U.S.C. § 102(e). Rush does not teach displaying documents for a title examination nor documents recorded with a government entity. Hence, all pending independent claims are believed to be allowable, at least for this reason.

Moreover, a number of dependent claims include subject matter not taught or suggested by the cited references. The Office Action makes a number of assertions that a teaching from one of the references “is equivalent to” a recited claim element. The Applicants respectfully traverse each and every such rejection and respectfully request that the claim elements be given patentable weight. It is improper to simply assert that teachings are “equivalent” to claim elements when they clearly are not. Hence, all claims rejected on the basis of an “equivalent” teaching in a cited reference are believed to be allowable for this additional reason. The Applicants have rewritten claim 15 into independent form to more clearly direct attention to this matter and discuss it in greater detail immediately hereinafter.

Claim 15 recites “determining the one of the records is associated with a deed document having a subdivision developer grantor.” This claim depends from claim 13 which recites that “the one of the records is associated with a good stop document, the one of the records being a good stop for a title search.” Hence, the deed document must have a subdivision developer grantor and must be a good stop for a title search. The Office Action rejects claim 15, stating that “any business transaction document . . . is equivalent to Applicant’s ‘deed document.’” Rush, however, does not teach deeds and does not teach a deed associated with a title search having a subdivision developer grantor. Hence, claim 15 is believed to be allowable for this additional reason.

Conclusion

In view of the foregoing, the Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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